



#4/10 2642  
4/24/03

Petitioner's Docket No. 9889.6815

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey N. Weiss

Group No.: 2642

Serial No.: 09/848,753

Examiner: Unknown

RECEIVED

Filed: May 3, 2001

APR 18 2003

For: **SELECTIVE TELEPHONE BLOCKER**

Technology Center 2600

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, and any attachments thereto, is being deposited with the United States Postal Service, as First Class mail, with sufficient postage, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

BETTY BERNAL  
Name of Person Mailing  
Paper

Betty Bernal  
Signature

04/11/2003  
Date

**PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT**  
**(37 C.F.R. §1.102 and M.P.E.P. §708.02)**

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

Applicant hereby petitions to make this application special because of actual infringement.

**1. Accompanying material**

Accompanying this petition is:

- (a) a Statement of Facts in Support of Petition to Make Special Because of Actual Infringement;

and

- (b) a Statement in Support of Petition to Make Special Because of Actual Infringement.

**2. Fee (37 C.F.R. §1.17(i))**

The fee required is to be paid by:

- ☒ the attached check for \$130.00.  
☐ charging Account No. 13-1130 the sum of \$.  
A duplicate of this Petition is attached.

04/17/2003 DENMANU1 00000042 09848753 130.00 OP  
01 FC:1460

Petition to Make Special  
In re application of: Jeffrey N. Weiss  
Serial No. 09/848,753  
Page 2

Any additional charges, including extensions of time, please bill our Deposit Account No. 13-1130.

Respectfully submitted,



---

Daniel S. Polley, Reg. No. 34,902  
Malin, Haley & DiMaggio, P.A.  
1936 South Andrews Avenue  
Fort Lauderdale, Florida 33316  
(954) 763-3303

**CUSTOMER NO. 22235**

I:\9000\9889\AMEND\6815.Pet Make Special.Infrg.doc



Petitioner's Docket No. 9889.6815

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey N. Weiss

Group No.: 2642

Serial No.: 09/848,753

Examiner: Unknown

Filed: May 3, 2001

For: **SELECTIVE TELEPHONE BLOCKER**

RECEIVED

APR 18 2003

Technology Center 2600

## CERTIFICATE OF MAILING

I hereby certify that this correspondence, and any attachments thereto, is being deposited with the United States Postal Service, as First Class mail, with sufficient postage, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

BETTY BERNAL  
Name of Person Mailing  
Paper

Betty Bernal  
Signature

4/11/2003  
Date

**STATEMENT OF FACTS IN SUPPORT OF PETITION TO MAKE SPECIAL  
BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. §708.02)**

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Jeffrey N. Weiss, residing at 7600 Ventura Lake, Parkland, Florida 33067

☒ am the inventor;  
☐ have the following interest or relationship to the above-identified invention

and I hereby declare the following:

1. There is an actual infringement of this invention.
2. The ☒ device  
☐ product  
☐ method

that I allege infringes this invention was recently discovered on sale at Target.

Respectfully submitted,

Date:

4/8/03Jeffrey N. Weiss  
JEFFREY N. WEISS, APPLICANT



Petitioner's Docket No. 9889.6815

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Jeffrey N. Weiss

Group No.: 2642

RECEIVED

Serial No.: 09/848,753

Examiner: Unknown

APR 18 2003

Filed: May 3, 2001

Technology Center 2600

For: SELECTIVE TELEPHONE BLOCKER

## CERTIFICATE OF MAILING

I hereby certify that this correspondence, and any attachments thereto, is being deposited with the United States Postal Service, as First Class mail, with sufficient postage, in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

BETTY BERNAL  
Name of Person Mailing  
Paper

Betty Bernal  
Signature

4/11/2003  
Date

**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL  
BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. §708.02)**

Hon. Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Jeffrey N. Weiss residing at 7600 Ventura Lake, Parkland, Florida 33067,

☒ am the applicant      ☐ assignee      ☐ practitioner in this case

and make the following statements:

1. I have made a rigid comparison of the alleged infringing

☒ device  
☐ product  
☐ method

referred to in my accompanying statement of facts, with the claims of this application.

2. That, in my opinion, at least claims 1 and 17 on file in this application are unquestionably infringed.

In re application of: Jeffrey N. Weiss  
Serial No. 09/848,753  
Page 2

3. I have

- ☐ made a search of
- ☒ caused to be made a careful and thorough search of the prior art
- ☐ a good knowledge of the pertinent prior art. All such material art is provided to the Examiner as
- ☒ having been filed on the parent application to this application (U.S. Serial No. 09/728,233)
- ☐ being supplemented
- ☐ being filed

in a respective Information Disclosure Statement.

4. That I believe all the claims in this application

- ☒ as on file are allowable
- ☐ as on file resulting from the attached amendment are allowable.

Respectfully submitted,

Date:

4/8/03

  
JEFFREY N. WEISS, APPLICANT